

**MINUTES OF THE REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
APRIL 22, 2009**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, April 22, 2009, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor William J. Schmitt called the meeting to order at 7:00 p.m.

Roll Call.

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prechtel	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All seven council members were in attendance; therefore, there was a quorum for the meeting.

Pledge: Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance.

Approval of the Minutes:

The following minutes were distributed to and examined by the Council:

1. March 18, 2009 regular Common Council meeting
2. March 18, 2009 6:50 p.m. public hearing concerning the rezoning of property at 3682 and 3694 Newton Street
3. March 30, 2009 special meeting.

A **motion** was made by Council member Ambrose 'Butch' Schitter and seconded by Council member Thomas Schmidt to approve the minutes as published. Motion carried 7-0.

Utility Service Board. General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on Monday, April 20, 2009. Copies of the minutes are supplied to each council member.

Energy Systems Group. General Manager of Utilities Gerald 'Bud' Hauersperger said Energy Systems Group [ESG], who was recommended by Vectren, is interested in looking at the power plant and what would be required to convert to biomass. He said ESG needs authorization from the City to provide them with the information they need to do an analysis. The Utility Service

Board recommended to the Council that the Mayor sign a letter of authorization that allows ESG to do a feasibility study.

City Attorney Sandra Hemmerlein said there is no cost to the City for ESG to do the study. Signing the letter does not lock the City into anything. It allows ESG to obtain records, study them, and report back to us. The letter does not bind us into entering into a contract with ESG for our project. The state law says we would have to seek requests for a proposal.

Mayor Schmitt said IMPA tells us when to produce power at the power plant. He said this is a complicated process and he sees a lot of opportunity if we partner with this group.

A **motion** was made by Council member Ambrose ‘Butch’ Schitter and seconded by Council member Kevin Manley to recommend the Mayor sign a letter authorizing Energy Systems Group to do a feasibility study for the City of Jasper. Motion carried 7-0.

Application for Gas Contractor’s License. Mayor Schmitt asked the Board to consider the application for a gas contractor’s license submitted by Bernard Helming with Helming Brothers Inc.

A **motion** was made by Council member David Prechtel and seconded by Council member John Schroeder to accept and approve the gas contractor’s license application submitted by Bernard Helming. Motion carried 7-0.

Dubois County Area Development Corporation Report. Bob Grewe, president of the Dubois County Area Development Corporation [DCADC], distributed to each member the 2009 Activities and Initiatives Report. Grewe reported on the organization’s highlights such as obtaining news from the website, reaching its targets through new business recruitment, economic gardening, entrepreneurship, and value-added agriculture.

Council member Thomas Schmidt said people are looking for more business and new businesses to start up and questioned if that is happening. Grewe said DCADC responds to inquiries but with a low unemployment rate in this area, we are way down on the list of prospectus in terms of employers getting employees. Schmidt said he thinks people got the wrong idea and thought we would see new manufacturing, etc. in this area.

Mayor Schmitt said what we have going for us is that some local businesses have their headquarters located here. They have been successful here but we are behind on offering tax abatements or TIF districts. Schmitt said we need to consider when it is time to start giving tax abatements. Schmitt also said the current economic conditions are not helping economic development right now.

Council member John Schroeder said he heard a comment that to help the housing industry, one should bring people to your community to live here. Mayor Schmitt then stated that Jasper is a safe place to live and a lot of retired people come here.

Commemorative Coin. Mayor Schmitt said last month Jake and Melinda Lueken, parents of fallen Marine Cpl. Eric Lueken, presented the City with a special coin in appreciation for the City’s participation in Lueken’s funeral procession through Jasper in 2006. The coin bears Lueken’s image on one side and the Marine Corps symbol on the other side. Schmitt said the coin will be displayed at City Hall.

Volunteer Fire Fighters' Retirement Plan comments. Mayor Schmitt asked if any of the firefighters in attendance wanted to make comments before the Council considers and discusses the ordinances affecting the volunteer firefighter pension and retirement plans.

Volunteer firefighter Mike Steurer said he has been on the fire department for approximately twenty-two years and when he first joined he had no idea one got paid and there was no such thing as a retirement account. He said he always wanted to help people so his service to the community was serving on the fire department rather than belonging to community organizations. Steurer said I have the best of both worlds. I have a job, a company that I work for that I love and I got the fire department that I love too. So one of the things is, we were blessed with being given a retirement years back by this administration and it was great, we are thankful for it. Now things are changing.

Steurer then said he is now speaking for the membership. We are really not happy with what is happening but we understand something has to happen. We are not happy that there is so much difference and huge variations in the amount of the retirement payout that the people that have been on the same amount of years get because it is based on age. Now I do understand how formulas work and you've got to come up with some type of formula but I think some of these amounts are way out of line. They're not fair.

For the younger members, this is the greatest plan that there ever was because they can build this money up, it will continue to build and when they retire they can have a lot more than I ever thought about having. So I think it's great for them. We understand that you all have to look out for the citizens of Jasper. I understand that 110% for the future. We also have to look at this as a measure to help contain costs for the city for now and for the future. My thing is, we're containing costs but where are we cutting the costs and reducing the non value added costs throughout the entire City of Jasper, not just the fire department. I am a taxpayer like everyone else. We had a lot of people at the River Walk that showed their support for let's reduce taxes. Well, I understand this is part of the way to do it, but let's not forget the entire city.

Last thing I'd like to say is that I am proud to be on the fire department. I believe these guys are proud to be on the fire department or they would not be there. I'd like to say let's get the vote taken. You guys have to vote the way you feel. Let's get it over with so we can get back to concentrating on serving the citizens of this community, on the fire department with our fire runs and our medical runs so this is something none of us have to be bothered with from now and into the future.

I appreciate your time and your consideration in this matter. Vote your feelings but I think you know some of our feelings and we'll go from there. Thank you.

Ordinance No. 2009-11 AN ORDINANCE AMENDING ORDINANCE NO. 1998-39, ENTITLED "VOLUNTEER FIRE DEPARTMENT PENSION FUND, DISABILITY PENSION FUND, AND DEATH BENEFITS" AND REPEALING ANY ORDINANCES IN CONFLICT HEREWITH

This Ordinance amends the Fire Pension Fund to only apply to those firefighters who have retired and are receiving a monthly benefit from the Pension Fund as of January 1, 2009 and to

those spouses of deceased firefighters who are receiving a monthly benefit from the Pension Fund as of January 1, 2009.

A motion was made by Council member Ambrose 'Butch' Schitter, seconded by Council member Kevin Manley and approved 7-0 to read the ordinance for one reading only. Thereafter, a motion was made by Council member Randy Buchta, seconded by Council member Ray Howard and approved 7-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Council member Ambrose 'Butch' Schitter and seconded by Council member David Prechtel to pass and adopt Ordinance No. 2009-11. Motion passed 7-0.

Ordinance No. 2009-12 AN ORDINANCE AMENDING ORDINANCE NO. 2004-64, ENTITLED AN ORDINANCE REGARDING THE JASPER VOLUNTEER FIRE DEPARTMENT

This ordinance moves the funeral benefit language that is currently in the Fire Pension ordinance to the Jasper Volunteer Fire Department ordinance. It also modifies the language to make clear that the benefit is still payable to the estates of all retired firefighters who had twenty or more years of service to the Jasper Volunteer Fire Department.

A motion was made by Council member Ray Howard, seconded by Council member Ambrose 'Butch' Schitter and approved 7-0 to read the ordinance for one reading only. Thereafter, a motion was made by Council member Thomas Schmidt, seconded by Council member John Schroeder and approved 7-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Council member John Schroeder and seconded by Council member Randy Buchta to pass and adopt Ordinance No. 2009-12. Motion carried 7-0.

Ordinance No. 2009-13 AN ORDINANCE ESTABLISHING THE CITY OF JASPER VOLUNTEER FIREFIGHTERS' RETIREMENT PLAN

This ordinance approves and adopts the new City of Jasper Volunteer Firefighters' Retirement Plan.

A motion was made by Council member Randy Buchta, seconded by Council member David Prechtel and approved 7-0 to read the ordinance for one reading only. Thereafter, a motion was made by Council member Ambrose 'Butch' Schitter, seconded by Council member Randy Buchta and approved 7-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Council member Ray Howard and seconded by Council member Ambrose 'Butch' Schitter to pass and adopt Ordinance No. 2009-13.

Under discussion, City Attorney Sandra Hemmerlein said if the Plan is adopted, it would begin January 1, 2009. Mayor Schmitt then called for the vote. The motion passed 6-1 with Council members John Schroeder, David Prechtel, Ambrose 'Butch' Schitter, Kevin Manley, Raymond Howard, and Randall Buchta voting aye while Council member Thomas Schmidt voted nay.

RESOLUTION NO. 2009-5 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER APPROVING CONTRIBUTIONS INTO THE CITY OF JASPER VOLUNTEER FIREFIGHTERS' RETIREMENT PLAN

In this resolution, the Council approves a one time contribution to the Volunteer Firefighters' Retirement Plan plus a one time cash payout for the firefighters who were active on January 1, 2009.

A motion was made by Council member Ambrose 'Butch' Schitter, seconded by Council member David Prechtel and approved 7-0 to have the resolution read for one reading only. Thereafter, a motion was made by Council member Randy Buchta, seconded by Council member Ray Howard and approved 7-0 to have the resolution read by title only. The resolution was so read. Thereafter, a motion was made by Council member Ambrose 'Butch' Schitter and seconded by Council member John Schroeder to pass and adopt Resolution No. 2009-5. Motion carried 6-1 with Council members John Schroeder, David Prechtel, Ambrose 'Butch' Schitter, Kevin Manley, Raymond Howard, and Randall Buchta voting aye while Council member Thomas Schmidt voted nay.

RESOLUTION NO. 2009-6 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER APPROVING ONE TIME LUMP SUM DISTRIBUTIONS TO CERTAIN RETIRED JASPER VOLUNTEER FIREFIGHTERS

In this resolution, the Council approves a one time lump sum distribution for the retired volunteer firefighters who are no longer eligible to receive benefits under the Volunteer Fire Department Pension Fund.

A motion was made by Council member David Prechtel, seconded by Council member Randy Buchta and approved 7-0 to have the resolution read for one reading only. Thereafter, a motion was made by Council member Ambrose 'Butch' Schitter, seconded by Council member Ray Howard and approved 7-0 to have the resolution read by title only. The resolution was so read. Thereafter, a motion was made by Council member John Schroeder and seconded by Council member David Prechtel to pass and adopt Resolution No. 2009-6. Motion carried 7-0.

ORDINANCE NO. 2009-14 AN ORDINANCE AMENDING ORDINANCE NO. 1998-32, ENTITLED AN ORDINANCE PROVIDING FOR THE FEES AND PROCEDURES FOR TRASH COLLECTION, AND THE DISPOSAL OF GARBAGE, TRASH, AND WASTE MATERIALS IN THE CITY OF JASPER, INDIANA

This ordinance allows the Board of Public Works and Safety to set a fee schedule for recycling bins and lids.

A motion was made by Council member Thomas Schmidt, seconded by Council member Ambrose 'Butch' Schitter and approved 7-0 to read the ordinance for one reading only. Thereafter, a motion was made by Council member Randy Buchta, seconded by Council member Thomas Schmidt and approved 7-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Council member Ambrose 'Butch' Schitter and seconded by Council member Kevin Manley to pass and adopt Ordinance No. 2009-14. Motion carried 7-0.

City Attorney Sandra Hemmerlein stated that in the past the City received grants for recycling bins and lids to help subsidize the cost of the bins but this time the grant application was denied. Mayor Schmitt said recycling has been a benefit for the homeowners. This ordinance allows the Board of Public Works and Safety to set fees in order to get some of the cost back for the bins.

ORDINANCE NO. 2009-15 AN ORDINANCE AMENDING ORDINANCE NO. 2008-27, ENTITLED AN ORDINANCE AFFIXING SALARIES AND WAGES FOR THE CIVIL CITY OF JASPER, INDIANA AND ITS EMPLOYEES FOR THE YEAR 2009

This ordinance amends the 2009 salary ordinance to change the Park Department Administrative Assistant position from salary to hourly effective May 1, 2009.

A motion was made by Council member Randy Buchta, seconded by Council member David Prechtel and approved 7-0 to read the ordinance for one reading only. Thereafter, a motion was made by Council member Ambrose 'Butch' Schitter, seconded by Council member Thomas Schmidt and approved 7-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Thomas Schmidt to pass and adopt Ordinance No. 2009-15.

Under discussion of the ordinance, Council member Ambrose 'Butch' Schitter said he would like to see one hourly rate listed in the salary ordinance for this position instead of a pay range and list the pay rate at \$12.00 or \$13.00 per hour. There was also discussion about the pay range, raises, and starting pay.

Council member Ambrose 'Butch' Schitter then made a **motion** to amend the ordinance and list the pay range at \$10.00 - \$13.00 per hour. Council member Raymond Howard seconded the motion.

Under discussion of the proposed amendment, Council member Raymond Howard asked how many years the retiring administrative assistant worked in that position. Mayor Schmitt responded, twenty-six years. Council member David Prechtel asked if other administrative assistant positions have similar pay ranges as the one listed in the ordinance. City Attorney Sandra Hemmerlein said the pay range listed in this proposed ordinance is the same range that is listed for the Planning Administrative Assistant position in Ordinance No. 2008-27.

Mayor Schmitt then called for the vote on the amendment to the ordinance. The motion was denied 1-6 with Council member Ambrose 'Butch' Schitter voting aye while Council members John Schroeder, David Prechtel, Thomas Schmidt, Kevin Manley, Raymond Howard, and Randall Buchta voted nay.

Mayor Schmitt then called for the vote to pass and adopt Ordinance No. 2009-15. Motion carried 6-1 with Council members John Schroeder, David Prechtel, Thomas Schmidt, Kevin Manley, Raymond Howard, and Randall Buchta voting aye while Council member Ambrose 'Butch' Schitter voted nay.

JCAC. Jasper Community Arts Commission member Don Weisheit attended the meeting on behalf of the Board. He thanked the Council and the City of Jasper for their support of the Arts.

Adjournment. There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 8:28 p.m.

The minutes were hereby approved _____ with X without corrections of

clarification this 20th day of May, 2009.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary